

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-v.-	:	S15 10 Cr. 392 (CS)
	:	
EDNA REYES,	:	
a/k/a "Queen Anita,"	:	
	:	
Defendant.	:	
-----	x	

GOVERNMENT'S SENTENCING MEMORANDUM

PREET BHARARA
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Assistant United States Attorneys
- Of Counsel -

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Defendant.	:	
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GOVERNMENT'S SENTENCING MEMORANDUM

The Government respectfully submits this memorandum in connection with the defendant's sentencing scheduled for September 6, 2012. For the reasons set forth below, a sentence at the top of the applicable Sentencing Guidelines range of 37 to 46 months' imprisonment would be sufficient but not greater than necessary to comply with the goals of sentencing set forth in Title 18, United States Code, Section 3553(a).

BACKGROUND¹

The defendant, Edna Reyes, was a drug dealer and a Latin Queen. She chose to join with other of the most dangerous and violent drug dealers and gang members in Newburgh and terrorized that city. The defendant sold drugs herself, she assisted others in doing so, she assisted the gang in a stabbing, and was a lasting and authoritative member of the Latin Kings who knew intimately the details of its worst violence.

As the Court is aware, the Newburgh Latin Kings was a criminal organization

¹ The Background section is based on information set forth in the PSR, testimony from witnesses during the two trials in this case of the defendant's co-defendants in November/December 2011 and June/July 2012, documents, recordings, and photos, and information provided by cooperating witnesses during proffer sessions with the Government.

whose members and associates engaged in, among other activities, narcotics trafficking, murder, attempted murder, armed robbery, and witness tampering. (PSR ¶ 20.) The criminal organization of the Newburgh Latin Kings had several facets, including: (1) a structured leadership of five officers, who were referred to as crowns (collectively, the “Crown Council”) (PSR ¶¶ 21, 23); (2) a two-step initiation process for prospective members, during which their loyalty was tested by, among other things, requiring them to commit violent acts (PSR ¶ 23); (3) regular meetings of members at which attendance was mandatory, during which criminal activities of the gang were discussed and orders to attack rival gang members were given (PSR ¶ 24); (4) violations given for violations of rules, including physical assaults of members by other members (PSR ¶ 24); (5) coordinated control of locations in Newburgh for purposes of selling drugs, including by equipping the locations with loaded guns and gang members to stand lookout (PSR ¶ 25); (6) the shared use of common suppliers of drugs among the members (PSR ¶ 26); (7) the commission of acts of violence – murders, attempted murders, assaults – to protect gang members, the gang’s drug turf, and the gang’s drugs (PSR ¶ 27).

Beginning at least in 2009, the defendant was a Latin Queen and an authoritative member of the Newburgh Latin Kings. She is the girlfriend of Latin Kings leader Jose Lagos, the sister of Latin Kings leader Rogelio Ramos and Latin Kings associate Ricardo Ramos, and was a close confidant of Latin Kings leader Wilson Pagan. In April 2009, Pagan posted on his MySpace account a photo of the defendant making a gang hand symbol with another woman, captioned “there goes my bad girls,” and showing tattoos on her right arm, one of which, according to the PSR, reads “All about the Benjamins.” (MySpace photo, bottom row second from right, attached to this Memorandum as Exhibit A; see Trial Testimony 6/19/12, at 685-86

(testimony of F. Merlo), attached to this Memorandum as Exhibit B; PSR ¶ 76.) In May 2009, at a Latin Kings' meeting, Pagan and Luis Tambito, a/k/a "King Luch," discussed whether to make the defendant First Queen, deciding not to because the defendant was pregnant too often and was not reporting. (Meeting Transcript, at 60, attached to this Memorandum as Exhibit C.) The defendant criticized gang members for sloppy behavior. For example, Heidi Smith, a/k/a "China," witnessed the defendant criticize gang members, including one gang member en route to the jail to bail out the defendant's brother, Rogelio Ramos, for Ramos's getting arrested on a petty crime, and another gang member, William Overton, a/k/a "King Tutu," in the area of the Latin Kings' drug spot on Broadway, for Overton's unkempt, homeless appearance.

The defendant sold cocaine on Latin Kings drug turf, as well as out of her apartment which was two blocks from a Latin Kings' corner. On some occasions when gang members and associates sought cocaine, they obtained cocaine from Reyes, calling her from the gang's corner and meeting Reyes at her apartment. (See, e.g., Exhibit B, Trial Testimony, 7/5/12, at 2655-58 (testimony of C. Romero); Exhibit B, Trial Testimony, 11/30/11, at 339-40 (testimony of F. Merlo).) In December 2010, by which date Lagos had been incarcerated for more than six months, a confidential informant working with FBI Special Agent Jose Flores attempted to buy cocaine from the defendant. The defendant told the CI, in substance, that she did not then have cocaine available but that the CI should try her again later.

The defendant participated in the gang's violence by receiving, holding, and forwarding an order given by Pagan from jail to other gang members not in custody. The order was to terminate on sight ("TOS") Nicholas Colon, a former gang member suspected of cooperating. While in jail, Pagan sent a letter to the defendant issuing the order. The defendant

received the letter and provided it to Fernando Merlo, one of the gang's leaders. Merlo in turn provided the letter to other gang leaders. Ultimately, in January 2010, Rogelio Ramos, acting on Pagan's order that the defendant forwarded, order Tambito and another individual to carry out the order, and they stabbed Colon outside of Colon's home. (See Exhibit B, Trial Tr., 11/30/11, at 282-85 (testimony of F. Merlo); Exhibit B, Trial Tr. 6/26/12, at 1458-62 (testimony of L. Tambito).) In another letter to the defendant, Pagan described to the defendant his order regarding Colon: "know you heard the news, Im taking tragedy crown and putting malcreo on probation. Everybody break the law to get in jail then wanna cry when it's time to put in work." Pagan also wrote to the defendant, "I love my Nation and when a 'Kings' Blood is spilled I got to go in on the niggaz that did it. . . ." (10/20/09 Letter from Pagan to Reyes, at 1-2, attached to this Memorandum as Exhibit C.)

The defendant was also intimately familiar with other violence undertaken by the gang. The defendant was among a group of Latin Kings who met together on May 6, 2008, shortly before the murder of Jeffrey Zachary, a 15-year-old bystander killed by two aspiring Latin Kings in an attempt to shoot a Bloods member, according to two witnesses who testified at the trial of Daniel Correa (one of whom was Correa testifying in his own defense), who was convicted in Orange County Court of the murder of Zachary.² Regarding the murders of Jerome

² The murder of Zachary by the Latin Kings was preceded by the murder, approximately five months before, of Brian Triminio, a/k/a "B-Bugz," the brother of the defendant's boyfriend, Lagos. On the night of January 9, 2008, Lagos, Triminio, and other members of the Latin Kings, which was then a gang of less than 20 members headed by Pagan and Nelson Calderon, a/k/a "King Murder," were together near Little Monument Street and Overlook Place in Newburgh, when a suspected Bloods member shot and killed Triminio. Lagos and another Latin King present for the shooting were interviewed by the Newburgh police and were uncooperative. About four months later, on April 27, 2008, Lagos, Pagan, and two other individuals, one of whom had a gun, went to the area of 70 Dubois Street, near where Zachary was later killed. Newburgh police responded there to a report of shots fired, came upon Lagos,

Scarlett, a/k/a “Rude Boy,” and John Maldonado, a/k/a “Tarzan,” the defendant was present with her boyfriend, Lagos, and other Latin Kings members on the Latin Kings’ block during discussion of the plot to kill Maldonado, hours before it was executed. Lagos and other leaders of the gang plotted to shoot Maldonado in the back on the street near to Lagos and the defendant’s apartment, and when they carried out the plot at least six Latin Kings members were in the vicinity when Maldonado was gunned down on Little Monument Street. By the defendant’s own account, given to co-defendant Felix Lagares, a/k/a “King Bavage,” during a recorded phone call seven days after the murder, the defendant saw Maldonado die. The defendant continued in her account to Lagares, “It’s sad, man, that all this shit is going on. . . . I’m just pissed about fucking Rude Boy.” (Call Transcript, 3/19/10, at 7-11, attached to this Memorandum as Exhibit D.)

On February 10, 2011, the defendant was arrested in this case, on the charge of conspiracy to distribute narcotics, in violation of Title 21, United States Code, Section 846. The defendant was thereafter additionally charged in a superseding indictment with racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d). On May 23, 2012, the defendant pleaded guilty to the racketeering conspiracy count (Count Two) of indictment S15 10 Cr. 392 (CS). The defendant pleaded guilty pursuant to a plea agreement (the “Plea

Pagan, and the other individuals, and recovered the gun. About nine days after that, on May 6, 2008, on orders of Lagos and Pagan, two aspiring Latin Kings members, Daniel Correa and Josh Torres, went to the area of 27 Dubois Street to shoot a Bloods member, but instead shot and killed Zachary, a 15-year-old bystander. In Orange County Court, in November of that year, Abner Alvarez, a suspected Bloods member, was convicted of killing Triminio, and in January 2009, Correa was convicted of killing Zachary. According to two witnesses at Correa’s trial, including Correa who testified in his own defense and was convicted of the murder, shortly before the murder of Zachary, Correa and Torres went to the area of Lander Street and met with several others, including Lagos, Damien Sinclair, a/k/a “King Dash,” and the defendant, Edna Reyes.

Agreement”), which specified a stipulated Sentencing Guidelines range of 37 to 46 months’ imprisonment, based on a base offense level 24 because the offense involved the distribution of 400 to 500 grams of cocaine, U.S.S.G. § 2D1.1(c)(8); a three-level reduction for timely acceptance of responsibility, U.S.S.G. § 3E1.1; and a Criminal History Category I. (PSR ¶ 3.) The United States Probation Office, in the PSR, reaches the same conclusion, and recommends a sentence of 37 months.

ARGUMENT

The Government respectfully submits that sentence at the top of the Guidelines range of 37 to 46 months would be sufficient, but not greater than necessary to achieve the aims of sentencing with respect to the defendant. Section 3553(a) provides that the sentencing “court shall impose a sentence sufficient, but not greater than necessary, to comply with the purposes set forth in paragraph (2) of this subsection,” and then sets forth seven specific considerations:

- (1) the nature and circumstances of the offense and the history and characteristics of the defendant;
- (2) the need for the sentence imposed—
 - (A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
 - (B) to afford adequate deterrence to criminal conduct;
 - (C) to protect the public from further crimes of the defendant; and
 - (D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;
- (3) the kinds of sentences available;
- (4) the kinds of sentence and the sentencing range established [in the Guidelines];
- (5) any pertinent policy statement [issued by the Sentencing Commission];

(6) the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; and

(7) the need to provide restitution to any victims of the offense.

18 U.S.C. § 3553(a).

The nature and circumstances of the defendant's offense are extraordinarily serious. In the first instance, the defendant was a drug dealer. She sold cocaine out of her home, with other drug dealers arriving from the Latin Kings' block at her doorstep for cocaine deals. The defendant's cocaine dealing was not isolated or aberrant; she sold cocaine for years and continued to do so long after her boyfriend was imprisoned. As with all drug dealing, the defendant's cocaine dealing demonstrated her indifference to the suffering of others who used the drugs she sold, and her willingness to profit from that suffering.

But the defendant did not merely sell cocaine on her own. The defendant joined a criminal conspiracy with the Latin Kings to sell drugs and undertake violence to protect the drugs, the drug turf, and the drug dealers. In this way the defendant multiplied the destruction she caused her own community, joining with some of Newburgh's most violent young men to terrorize the streets. The defendant kept cocaine available for other Latin Kings, such as Carlos Romero and Fernando Merlo, to obtain and sell at Latin Kings drug corners, including Benkard and William just two blocks from the defendant's home. The defendant forwarded an order from Pagan to terminate an ex-gang member on sight, which resulted in his being stabbed and seriously injured. The defendant was intimately knowledgeable of other violence undertaken by her gang on her gang's behalf, including the murder of Maldonado just steps from her house. The Latin Kings set up Maldonado, shot him in the back, and left him to die in the street, with several Latin Kings members watching, the defendant among them.

The defendant evidently knows well herself how telling and abhorrent a choice it is to join a gang as violent and destructive as the Newburgh Latin Kings – she continues to deny that she was a Latin Queen. As recently as her plea allocution before your Honor on May 23, 2012, the defendant noted, through her counsel, that while she is guilty of the charged crime of racketeering conspiracy, she was not a Latin Queen. This is false. It demonstrates, much like her statement to the United States Probation Officer that she merely tattooed the phrase “All about the Benjamins” on her arm to cover up an old tattoo about a boyfriend, not only a lack of honesty and remorse about her own criminal conduct, but also a recognition that to admit fully that conduct would be to admit something reprehensible.

The defendant seeks a sentence of time served, which would be a sentence of approximately 18 months, primarily on the ground that she is a good and loving mother who seeks to return to her children. The Government acknowledges that the defendant, as her counsel ably describes it, was confronted with difficult circumstances and trying events in her life. The defendant’s criminal conduct, however, is entirely inconsistent with her claimed motivation. The defendant brought drug dealing and drug abuse into her home. She brought gang violence into her neighborhood and community. And she regularly engaged in serious criminal conduct for which she could be jailed and thereby separated from her children, leaving them to be cared for by others. The defendant led a life, in fact, that all but assured that her children would be regularly exposed to drugs and violence, that they would live for years without a mother, or both.

The other sentencing aims under Section 3553(a), including the need to promote respect for the law, the need to generally deter others, and the need to avoid unwarranted

sentencing disparities, all counsel a sentence at the top of the applicable Guidelines range. The defendant not only conspired to distribute hundreds of grams of cocaine which gives rise to the applicable Guidelines range, but she did so for a long period of time, and as part of the criminal affairs of a violent gang that sold the drugs by controlling the streets of Newburgh and beating, stabbing, and shooting its enemies. A sentence of time served, on the other hand, would send the wrong message that Edna Reyes's years of participation in the criminal affairs of the Latin Kings is of no consequence, and that she has essentially committed only the lightest and most minimal of drug dealing offenses.

CONCLUSION

For these reasons, the Government respectfully submits that a sentence at the top of the Guidelines range would be sufficient but not greater than necessary to achieve the goals of sentencing under Section 3553(a).

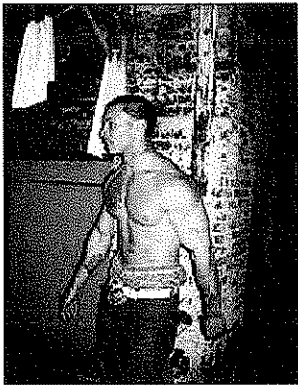
Dated: September 4, 2012
White Plains, New York

Respectfully submitted,
Preet Bharara
United States Attorney

By: ____/s_____

Benjamin Allee
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(914) 993-1900

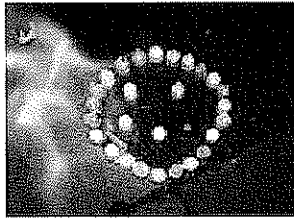
EXHIBIT A



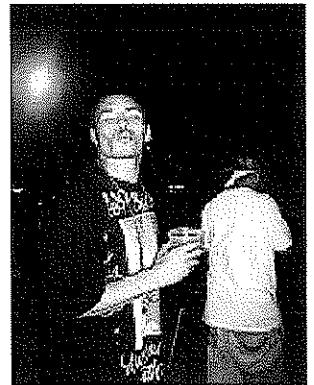
getting that paper ya heard



newburghs finest



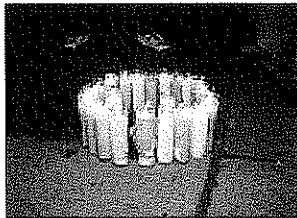
thats the soul of a king!!!!!!!!!!



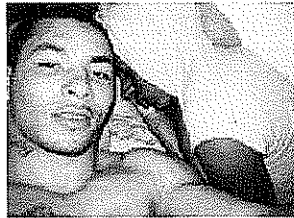
im a littel drunk ya dig



mi famlia



forever remembered



thats my reina ya heard!!



yea that's me niggazzzzz



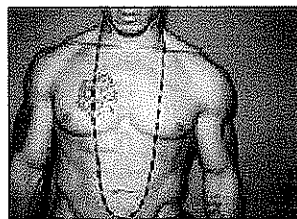
life is to short to waist in tha pen



rest in peace to my bro b-bugz,
alwaysan honor to crown you luv you to death!!\$\$\$\$\$



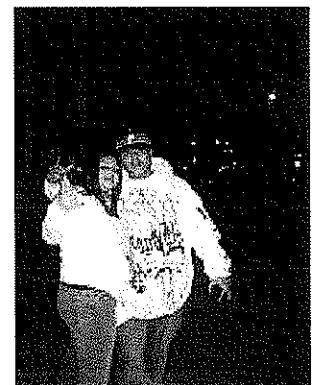
holla at your boy\$\$\$\$\$



hard body
entertainment\$\$\$



there goes my bad girls



rest in peace b-bugz

EXHIBIT B

2616

201275caldtf

1 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2 -----x

3 UNITED STATES OF AMERICA

4 v. S15 10 Cr. 392

5 TRIAL

6
7 WILFREDO SANCHEZ,
8 also known as King Frito;
EVA CARDOZA;
9 ANGELO DELEON,
also known as King Truth;
10 NELSON CALDERON,
also known as King Murder,

11 Defendants.

12 -----x

13 White Plains, N.Y.
14 July 5, 2012
15 9:00 a.m.

16
17 Before:

18 THE HONORABLE CATHY SEIBEL,

19 District Judge

20

21

22

23

24

3 what happened?

4 A. He would just bring it to me, and I would sell it. He
5 would bring it bagged up and everything.

6 Q. How much would he give you at one time?

7 A. He gave me ounce, half a ounce.

8 Q. All right. And how long would it take for you to get rid
9 of an ounce, for example?

10 A. About a week, two weeks.

11 Q. All right. The heroin, if you got a couple bundles, right,
12 from Loco or Noel, how long would it take for you to get rid of
13 a couple bundles?

14 A. Probably like -- a brick, probably like -- something -- I
15 sometimes get rid of them one day. Depends, you know.
16 Sometimes two days.

17 Q. Did you keep the drugs that you sold in any particular
18 location or place?

19 A. Well, I had this room that I used to keep my drugs in
20 there.

21 Q. Where was the room?

22 A. On Renwick.

23 Q. That's where you kept all your drugs?

24 A. Yeah.

25 Q. All right. Was that the same place -- it wasn't your home?

CHRISTINA M. ARENDS-DIECK, RPR, RMR, CRR
(914)390-4103

1 A. Nah, it wasn't my house.

2 Q. Why did you keep it in a room on Renwick?

3 A. I just didn't want to have it in my house.

4 Q. Now, are you familiar with someone named Queen Anita?

5 A. Yes.

6 Q. Who is that?

7 A. Gordo's girl.

8 Q. Was she a Latin Queen?

9 A. I mean, to tell you the truth, I never seen her throwing up
10 the crown and none of that, but I first knew that she was a
11 Latin Queen when I first got arrested, you know, when she got
12 picked up.

13 Q. Okay. Now, do you know what her real name is?

14 A. Anita.

15 Q. Her full name. Do you know what her full name is?

16 A. Reyes. Edna Reyes, I think.

17 Q. Do you recognize who's in this photograph, 231?

18 A. Yes.

19 Q. All right. Who is that?

20 A. That's Edna Reyes.

21 Q. All right. And I'm showing you what has been marked as

22 231A. What does this say?

23 A. Edna Reyes.

24 MR. CHUNG: Government offers 231A, your Honor.

25 THE COURT: 231A is received.

201275caldtf Carlos Romero - Direct

1 (Government's Exhibit 231A received in evidence)

2 Q. Now, while you were a Latin King on the street, did you
3 know Queen Anita?

4 A. Yes.

5 Q. Did you see her?

6 A. Yes.

7 Q. Was she involved in any criminal activity?

8 A. Yes.

9 Q. Can you tell us.

10 A. Yeah. She used to sell coke.

11 Q. Did you ever buy coke from her?

12 A. Yeah.

13 Q. Tell us about that.

14 MR. DuBOULAY: Could we have a time frame, your Honor.

15 MR. CHUNG: Yes.

16 Q. When was this?

17 A. 2009. I mean 2010 when I bought it.

18 Q. All right. Tell us about that.

19 A. Well, it was -- one day, somebody came and asked me if I
20 had coke, and I said -- I didn't have it. So I kept asking
21 around who had it. I asked Speedy. He told me Anita had it.

22 Q. Was Speedy a Latin King?

23 A. Yes.

24 Q. Okay.

25 A. So he called her and went and picked up -- picked it up for

CHRISTINA M. ARENDS-DIECK, RPR, RMR, CRR
(914)390-4103

2657

201275caldtf Carlos Romero - Direct

1 me so -- like a --

2 MR. DuBOULAY: Objection. Foundation.

3 THE COURT: How do you know he called, that Speedy
4 called?

5 THE WITNESS: Because he told me before he was gonna
6 to call her.

7 THE COURT: Overruled.

8 Q. And then he told you that -- Speedy told you that he was
9 going to call Anita?

10 A. Yeah. He told me that he -- that she had it.

11 Q. That she had it?

12 A. Yeah. He say he was gonna call her.

13 Q. Okay. And then what happened after that, after you had
14 that conversation with Speedy?

15 A. He called her, and he went and got it and brung it to me,
16 and I sold it.

17 Q. How much cocaine?

18 A. It was like a gram, like \$50 worth.

19 Q. \$50 worth?

20 A. Yeah.

21 Q. Okay. Was that the only time that you obtained cocaine
22 from Queen Anita?

23 A. No. It was a second time that I called him personally.

24 Q. Called her personally?

25 A. Yeah.

CHRISTINA M. ARENDS-DIECK, RPR, RMR, CRR
(914)390-4103

2658

201275caldtf Carlos Romero - Direct

1 Q. All right. And then what happened?

2 A. And then I asked her if she had some. She said yeah. I
3 asked her where she was at. She was at her house. So I went
4 down to her house. She came out to the hallway. I gave her
5 the \$50. She gave me the coke.

6 Q. Where was the house?

7 A. On Benkard.

8 Q. All right. Were there any other occasions?

9 A. Not that I remember.

10 Q. Okay. Now, you testified that Queen Anita was Gordo's
11 girlfriend?

12 A. Yes.

13 Q. Okay. During these two cocaine transactions with Queen
14 Anita, where was Gordo?

15 A. I think he was -- he was in jail.

16 Q. Now, are you familiar with someone named Animal?

17 A. Yes.

18 Q. I believe you testified about him on Tuesday, correct?

19 A. Yes.

20 Q. All right. Who is Animal?

21 A. He's -- he's related to Frito. He's related to Mondo, Chi

22 Chi. But he's not a Latin King, though.

23 Q. All right. So he's related to Mondo, Chi Chi and Frito by

24 blood?

25 A. Yeah.

CHRISTINA M. ARENDS-DIECK, RPR, RMR, CRR
(914)390-4103

2659

201275caldtf Carlos Romero - Direct

1 Q. How are they related? Do you know?

2 A. They cousins.

3 Q. All right. You testified that he is not a Latin King.

4 A. Yes.

5 Q. Do you know where he lived?

6 A. Well, he used to live on South Miller, and then he moved to

7 Williams.

8 Q. All right. While he was living on South Miller, did you

9 ever visit where he lived?

10 A. Yes.

11 Q. Why?

12 A. 'Cause that's where like everybody was used to go and hang

13 around there to sell drugs right there.

14 Q. All right. Did you sell drugs there?

15 A. When I -- that's when I came out of -- out of Immigration.

16 But he wasn't living there no more.

17 Q. Okay. Now, did you ever visit his home, though, when he

18 lived on South Miller Street?

19 A. In his apartment?

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

v. 10 CR. 392 (CS)

FELIX LAGARES, KELVIN LAGARES,

Defendants.

-----X
U.S. Courthouse
White Plains, N.Y.
November 30, 2011
9:00 a.m.

Jury Trial Before: HON. CATHY SEIBEL,
United States District Judge

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Sue Ghorayeb, R.P.R., C.S.R.
Official Court Reporter

25 A No.

Sue Ghorayeb, Official Court Reporter
339

Merlo-direct-Allee

1 Q Why was he permitted to sell drugs there?

2 A He was related to Chi Chi and Mondo.

3 Q Did you trust Animal?

4 A Yes.

5 Q I think there's just one more.

6 Do you recognize the individual in Number 231?

7 A Yes.

8 Q Who is that?

9 A Enita.

10 Q You're saying Enita?

11 A Enita, yes.

12 Q How would you spell that?

13 A E-N-I-T-A.

14 Q Did you know her by any other names?

15 A No.

16 Q Is she a member of the Latin Kings?

17 A Yes.

18 Q And she's the woman who you previously described?

19 A Yes.

20 MR. ALLEE: Your Honor, the Government offers

21 Exhibit 231. 231-B I would also offer. However, I need to

22 spell it with an A.

23 THE COURT: Well, it's phonetic. Either way, it's

24 Anita. So I'll receive 231 and 231-B.

25 Q Have you seen her sell drugs?

Sue Ghorayeb, Official Court Reporter
340

Merlo-direct-Allee

1 A Yes.

2 Q Where?

3 A On her house -- at her house.

4 Q Where was her house?

5 A Down Benkard.

6 Q How far was it from the corner of Benkard and William,

7 approximately?

8 A Like two blocks.

9 Q Who did she live with?

10 A With Gordo.

11 Q Gordo who you have testified, testified about?

12 A Yes.

13 Q Did you obtain drugs from her?

14 A Yes.

15 Q You began to tell us about an instance when you saw

16 Bavage with a gun?

17 A Yes.

18 Q Where was that?

19 A In Frito's place, second floor.

20 Q Frito's place, you described, was near the corner of

21 Benkard and William?

22 A Yes.

23 Q What was on the second floor?

24 A It was an empty floor. We was just chilling, where we

25 used to chill and smoke.

Sue Ghorayeb, Official Court Reporter
341

Merlo-direct-Allee

1 Q Who used to chill and smoke there?

2 A The bros. The bros.

3 Q How often would you go there?

4 A It depends. Like one, two, three times a week.

5 Q The time that you saw the gun, who else was there?

6 A Gordo, Bavage, me, and Rude Boy.

7 Q Rude Boy?

8 A Yes.

9 Q At that time, do you recall whether Bavage was a member

10 of the gang?

11 A I'm not sure.

12 Q Can you describe what happened then?

13 A Well, we was smoking, and then he came out saying, "Oh,

14 you wanna see our guns?"

15 Q Who did?

16 A Bavage and Rude Boy. Then they went to the closet.

17 Bavage took a gray revolver, and then Rude Boy took out a

18 brown rifle.

19 Q Did Bavage say anything?

20 A He just went like, "You wanna see our guns?" That's

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

v. 10 CR. 392 (CS)

FELIX LAGARES, KELVIN LAGARES,

Defendants.

-----X
U.S. Courthouse
White Plains, N.Y.
November 30, 2011
9:00 a.m.

Jury Trial Before: HON. CATHY SEIBEL,
United States District Judge

APPEARANCES

PREET BHARARA
United States Attorney
Southern District of New York
300 Quarropas Street
White Plains, N.Y. 10601
BY: NICHOLAS L. McQUAID
BENJAMIN ALLEE
ABIGAIL KURLAND
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Attorney for Kelvin Lagares

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JENNIFER LOUIS-JEUNE
260 Madison Avenue, Suite 1800
New York, N.Y. 10016
Attorney for Felix Lagares

Sue Ghorayeb, R.P.R., C.S.R.
Official Court Reporter

3 meetings every week. Sometimes we had it every week,

4 sometimes we had it every two weeks.

5 Q Dues were often paid at meetings?

6 A Yes.

7 Q Besides buying guns, what else did you do with the dues

8 money?

9 A We used to flip it.

10 Q What do you mean by flip it?

11 A Like if I had a hundred dollars, we try to make \$200 out

12 of it. And then, from then on, \$200, we make it \$400. For

13 \$400, we make it into \$800.

14 Q And how would someone make money with the dues money?

15 A You take the money, sell whatever you can sell, like

16 weed, crack, whatever, you sell that.

17 Q Did you loan money from the dues to people to sell

18 drugs?

19 A Yes.

20 Q Which is what you have called flipping?

21 A Yes.

22 Q What would they do upon receiving that money?

23 A They go and buy the drugs, flip it and sell it, and just

24 come to the next meeting, give me the money back.

25 Q Were they obligated to you once you loaned them the

Sue Ghorayeb, Official Court Reporter

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1 money?

2 A Yes.

3 Q What were they obligated for?

4 A So, we can gain more, more money for the caha.

5 Q And how much money was someone who got dues money to

6 flip it obligated to pay?

7 A If you -- if I gave you a \$100, you gotta bring me \$200.

8 If I gave you \$50, you had to bring me a \$100.

9 Q What are other things you use the dues money for besides

10 buying guns and having members buy drugs?

11 A Well, to bail people out of jail, to send commissary to

12 the bros.

13 Q What is commissary?

14 A Food.

15 Q Food where?

16 A In jail.

17 THE COURT: It's a way that people in jail can buy

18 food to bring to their cells?

19 THE WITNESS: Yes.

20 Q Were there instances where you took money from the dues

21 to put into jail for a member of the gang?

22 A Yes.

23 Q As the fourth crown, you described that you also kept

24 letters?

25 A Yes.

Merlo-direct-Allee

1 Q From whom did you receive letters?

2 A Our first crown, Wilson Pagan.

3 Q What was your role when you received a letter?

4 A Read them and pass the message to all the bros.

5 Q Were there instances where you did that?

6 A Yes.

7 Q Did one instance involve a member of the gang who went

8 by the name Tragedy?

9 A Yes.

10 Q What was the order given by Wilson Pagan?

11 A To TOS him.

12 Q Is TOS a phrase you used as a member of the gang?

13 A Yes.

14 Q What does that mean?

15 A Terminate on sight.

16 Q Why was that order given for Tragedy?

17 A 'Cause Wilson Pagan thought that Tragedy was snitching

18 on him in jail.

19 Q What do you mean by snitching?

20 A Like talking to the police.

21 Q What did you do once you received that order from Wilson

22 Pagan?

23 A We talked to all the members about it.

24 Q And did you receive that order directly or did you

25 receive it from somebody else besides Wilson Pagan?

Merlo-direct-Allee

1 A He send a letter to Rogelio. Rogelio gave it to his
2 sister. His sister gave it to me.

3 Q Who is Rogelio's sister?

4 A Enita.

5 Q Was Enita also a member of the gang?

6 A She was a queen.

7 Q Were women gang members as well?

8 A Yes.

9 Q How many women were in the gang?

10 A Three.

11 Q Give or take?

12 A Can you repeat that question, please?

13 Q Were there sometimes more than three or less than three?

14 A Just I remember there was only three.

15 Q Who did you forward the order regarding Tragedy to?

16 A I talk to Ozzy about it and I talk to Malo, our first
17 crown at that time.

18 Q Was the order carried out?

19 A Yes.

20 Q Who carried it out?

21 A Rogelio.

22 Q How did he do that?

23 A He send one of our bros to Tragedy's house, he knocked
24 on the door, tell him to come out and stabbed him.

25 Q And did that happen?

Sue Ghorayeb, Official Court Reporter
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Merlo-direct-Allee

1 A Yes.

2 Q Have you pleaded guilty to a crime in connection with
3 that stabbing?

4 A Yes.

5 Q Did the Latin Kings in Newburgh have rules for behavior?

6 A Yes.

7 Q Were some of those rules written down?

8 MR. PERLMUTTER: Objection to the leading, Judge.

9 A Yes.

10 THE COURT: Well, that wasn't -- I -- you shouldn't
11 lead. That last question was not leading. The -- but,
12 overall, try not to lead.

13 MR. ALLEE: Yes, Your Honor.

14 Q Where were the rules written down?

15 A In the manifesto.

16 Q What is the manifesto?

17 A It's our Bible. All of the rules are written down in
18 there.

19 Q Can you repeat your last answer.

20 A All of the rules are written down in that book.

21 Q When you were in the gang, did you have a copy of it?

22 A I had a couple of pages of it only.

23 Q Whose responsibility was it to keep copies of the

24 manifesto?

25 A Our fifth crown.

Sue Ghorayeb, Official Court Reporter
286

Merlo-direct-Allee

1 Q That's the role you described as lawyer?

2 A Yes.

3 Q What else did the fifth crown do?

4 A He defends you. If people try to give you a violation,

5 you could take like a trial where all the five crowns is at,

6 and it depends on the first. If you get your violation on

7 a --

8 Q We'll come back to the violations in a moment. But can

9 you describe for the jury what is in the manifesto?

10 A It's our five points, the belief, our oath, and there's

11 a lot of rules that you cannot do once you are a member of

12 the Latin Kings.

13 Q What are some of the rules?

14 A Like you can't use no coke, crack; like you can't fight

15 with your bros.

16 Q Can you repeat that.

17 A You can't fight with your bros, fight.

18 Q Oh, fight you said.

19 A Yeah.

20 Q What are some other rules?

21 A You can't rob your bros. You can't leave them hanging.

1 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2 -----x

3 UNITED STATES of AMERICA,

4 -against- 10 Cr. 392 (CS)

5 NELSON CALDERON, ANGELO DELEON,
WILFRED SANCHEZ and EVA CARDOZA,

6
Defendants.

7
-----x

8

9 United States Courthouse
White Plains, New York

10

June 26, 2012

11

12 B e f o r e:

13 HON. CATHY SEIBEL,
District Court Judge

14

A P P E A R A N C E S:

15

BENJAMIN ALLEE

16 DANIEL CHUNG

ABAGAIL KURLAND

17 Assistant United States Attorneys

18

19 Firm Name

Att(s)

for

20 Dft(s)

21

22

23

24

ANGELA A. O'DONNELL, RPR

25 Official Court Reporter

20 A. The first mission I went was when the other members of
21 the Kings were beefing with a Blood member named Jiggy and
22 if -- while I was on the block Rogelio and Ozzy told me to
23 go, to go to that location where they were fighting to make
24 sure everything was all right.

25 Q. Did you go to that location?

1458

1 A. Yes, I did.

2 Q. Do you remember where that was?

3 A. That was -- that was in Fullerton, next to the school.

4 Q. Okay. So, did you go there by yourself or with others?

5 A. No. I went there with Aventura.

6 Q. And what happened once you got to this location on
7 Fullerton?

8 A. Once I got there, Aventura gave me a knife.

9 Q. What did you do?

10 A. As we're walking to where the bros are at, there's
11 other -- the other group we were having problems with was
12 there. And they pointed to -- they pointed out who Jiggy
13 was. So as I go and try to stab Jiggy, he moved, so I ended
14 up stabbing his friend.

15 Q. Where did you stab his friend?

16 A. I stabbed his friend in the heart.

17 Q. How many times?

18 A. Three times.

19 Q. After that particular mission, were you sent on any

20 other missions that involved a stabbing?

21 A. Yes, I was.

22 Q. Tell us about that.

23 A. Well, I -- while I was at my baby mother's house, and I

24 got a call from Rogelio, and Rogelio tells me that if I go

25 do a favor for him. I told him, yeah. And he tells me that

1459

1 Tragedy just came home.

2 Q. Now who is Tragedy?

3 A. Tragedy is a member, was a member, a member of the

4 Latin Kings.

5 Q. Continue.

6 A. He told me Tragedy was home and he had to get stripped,

7 meaning he was no longer a member of the Latin Kings.

8 Q. Did Rogelio explain to you why he had to get stripped?

9 A. Yeah. He told me that he had to get stripped because

10 he was an informant.

11 Q. All right. What happened next?

12 A. I told him -- I told him, yeah, that I would do them

13 that favor. I asked him what he wanted me to do. And he

14 told me I didn't have to do nothing, just make sure that the

15 mission was taken care of.

16 Q. Now, at this time, was Rogelio, did he have a position

17 in the structure?

18 A. At that time he was Third Crown.

19 Q. So, continue.

20 A. So I told him, yeah, I -- and I told him I was going to

21 choose two bros to do the mission. So I chose Charlie and I
22 chose Ghost. Charlie never made it. We couldn't get in
23 touch with him. Only Ghost came.

24 Q. What happened next?

25 A. Ghost came to where I was living, baby mom's house. I
1460

1 actually told him what the mission was about, that he had to
2 stab Tragedy and get his full crown. Ghost agreed to do it
3 and then --

4 Q. Let me stop you there. Ghost at this time, was he a
5 fully inducted Latin King?

6 A. No, he wasn't. He was on five alive.

7 Q. Okay.

8 A. So he agreed to do it. And then Rogelio called a cab
9 for us. We took a cab to Tragedy's apartment on Liberty
10 Street.

11 Q. Uh-hum.

12 A. And once we got there, I knocked on Tragedy's door and
13 I called Rogelio to see if that was the right location, and
14 I asked him what did he look like.

15 Q. You didn't know, you had never met Tragedy up to that
16 point?

17 A. No.

18 Q. Okay.

19 A. So he described what he looked like, as I'm knocking on
20 the door, Tragedy comes, he opens the door and he salutes

21 me. And I tell him I'm here to discuss what's going on with
22 him and Gunz. What's the problem. And he tells me --
23 Q. What were you referring to when you said what was going
24 on between him and Gunz?
25 A. Oh, I was referring to Tragedy and Gunz.

1461

1 Q. Was there some issue between them?
2 A. Yeah. Gunz wanted him stripped.
3 Q. Okay.
4 A. So he tells me that, that he's been putting word he's
5 not going to get stripped. And I tell him I'm not here to
6 strip, I tell him I'm here just to give me a violation and
7 then he'll be good.
8 Q. Was that true what you said to him?
9 A. No.
10 Q. All right.
11 A. So, after that, he gets on the phone with Rogelio and
12 I'm talking to Truth and Joey, they was at the house.
13 Q. Okay.
14 A. And while he's talking to Rogelio, I point out that I
15 want to talk to him outside. So he agrees, and as we go
16 outside, I'm telling him he's not going to get stripped,
17 he's just catching a violation.
18 Q. Where was this Ghost at this time?
19 A. Ghost was outside with me. I said to Ghost, when I
20 give him the signal, to stab Tragedy. That's what I did.
21 And Ghost stabbed Tragedy.

22 Q. Did you see, did you actually see the stabbing?

23 A. Yes, I did.

24 Q. Where did Ghost stab him?

25 A. Ghost stabbed him in the stomach.

1462

1 Q. What did you do after the stabbing occurred?

2 A. We got in the same cab and we took off.

3 Q. Now, when did this occur, approximately?

4 A. This occurred about January 2010.

5 Q. Now, at this time in January 2010, who was in the

6 leadership structure?

7 A. Was in the leadership structure?

8 Q. Yeah.

9 A. Chi Chi was first, Gordo was second, Rogelio was still

10 third, Dinero was fourth and Ozzy was fifth.

11 Q. Ozzy was fifth you said?

12 A. Yes, sir.

13 Q. Now, around this time, between the time that you got

14 readmitted into the gang and Tragedy's stabbing, did you

15 participate in any gun shootings?

16 A. Yes, I did.

17 Q. Approximately how many?

18 A. Participated in -- participated in about four, four

19 shootings.

20 Q. Tell us about those.

21 A. One was, I went out with Pumba, Scoobz, Ivan and

22 myself.

23 Q. Who are the targets?

24 A. The targets was members of the Bloods.

25 Q. And so where did you go with these other Latin Kings?
1463

1 A. Well, I told them to go to Lander and not Lander and

2 South Street.

3 Q. How many guns?

4 A. There was only one gun.

5 Q. Who carried the gun?

6 A. Ivan.

7 Q. How did you get there?

8 A. I got there with Pumba's car.

9 Q. What was Pumba's role in this?

10 A. Pumba's role, he was the getaway driver.

11 Q. Tell us what happened once you got to Lander.

12 A. Once we got to Lander, I told Scoobz and Ivan that they

13 were supposed to go and shoot members of the Bloods.

14 Q. Okay.

15 A. After they was done, come back to the car, which was I

16 told him where we was going to park that, it was going to be

17 running. Soon as they got in the car, we was going to take

18 off.

19 Q. What happened eventually?

20 A. They went over there and they shot, they shot -- they

21 shot the gun off.

22 Q. Who did?

EXHIBIT C

to: Wilson Pagon
~~100~~ 110 Wells Farm rd
Goshen, NY 10924

TV

to: Edna Reyes

44 Benkard Ave and A.
Newburgh, NY 12550



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 000.44
0003898568 OCT 20 2009
MAILED FROM ZIP CODE 12550

①

TO: Edna AKA Ghula

Ayo what's good? Good to hear from you, hope all is well, looks like I'm going upstate for 2 1/2 Cause of my record if I fight I'll be taking a chance of 15 yrs to life and that the minimum for Peredict Felon. now you heard the news, I'm taking tragedy crown and put malcrao on Probation. Everybody Break the law to get in Jail then wanna cry when it's time to put in work. But other than that I'm staying strong for Wifey and my son, Ayo my wifey remember you I always use to tell her about you and Gordo her name is Jocelyn and the baby is light skined those flicks make him darker than he. Really 's. And for me, I'm chillen

②

But I love my nation and when
 a "king's" Blood is spilled I gotta
 go in on the niggaz that did
 it, Well when I'm home again
 I'm getting money for my family
 I wanna take Gordo with
 me on this cause it's legal
 I'm locked with a Spanish
 tomate who's turning Rey. This
 nigga is connected with Ron
 Brown, Max B, LA, and all
 those Harlem niggaz He showed
 me kites and all, they gonna Bless
 him when he come home cause
 they all Bloodz of the same
 set and he's the GF for
 there set, so all me, Gordo
 Have to do (& chi-chi) is
 once we all meet them
 and they find out ~~where~~ there
 GF turn King is

(3)

Start Beef with the Rappers
We gonna do it thru Smack
DVD, There is so much more
but ill explain later. Its easy
money, and I already know some
people in the BX who own an record
label so ill have them in on it
and my girl know someone in
Def Jam, This would be some
Spanish shit, this way we see
legit money open up stores and
push the shit thru it. there's
so much more But ~~I~~ dont
want to write a Book, tell Gordo
told he get my paperwork and to
Holla at me and Chi-Chi. Oh, the
money thing Dont tell everyone just
Gordo Cause I dont want to Jinx
this shit and tell him to
keep his mouth shut too

(4)

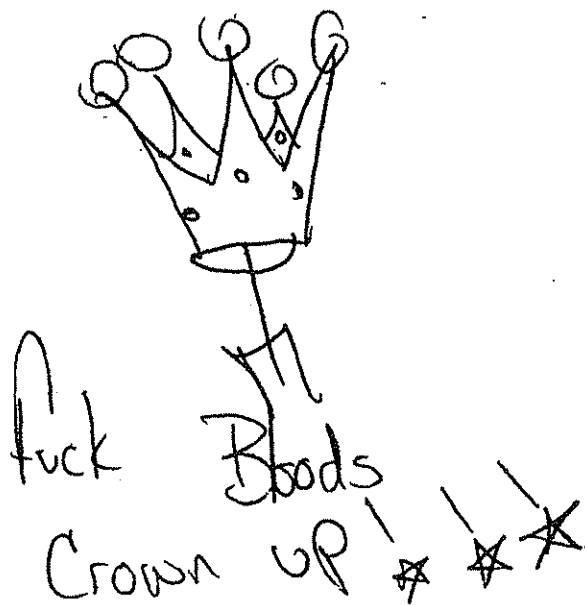
Cause I'm still doing everything
 and this is a plan. tell edie
 I send mine's, Heard he lost
 weight and cut his hair. He's a
 real G I always looked up to
 the real G's growing up, he was
 one of them. tell to stay safe
 you keep doing what you doing
 cause I need you to keep Gordo
 in the town and out of jail. I
 feel responsible for gordo cuz B-Bugz
 isn't around to I got to try my best
 so please, keep him straight
 I got alot of love for him
 I watch him become a man
 and a "king", a fat one, but a
 king, true love for that brother
 tell him to leave the jail shit
 for me cause he belong to you
 and your daughter. =>

⑤

Stay safe and remember
everything you been thru to
Get where you at, I need
to listen to myself, love you
SiS, tell gordo I love him
to and to keep my Bunz
tight cause Gordo was my
Girl before you ~~was~~ ha, ha,

True wisdom

K-Bunz
Sholin
Tribe



Imberto Morales
Wells farm road
Shen N.Y. 10924

C3



Jose lagos
44 BenKard
Newburgh NY. 12550

①

Whats crownin twin.

1000. Cabron espera k todo este bien
 re. and the bros estamos bien tu sabes
 presentando mira loco te escribo esta
 carta pa dejarte saber k tu sabes k la
 policia me llevo a mi y a toda la familia
 mientras todita la familia mia estuvo presa
 nos tipos se metieron en mi casa y
 le robaron a mi le robaron a mi mama
 le robaron a Rocky ami me robaron
 my Jewerly and clothes a my mama le
 robaron ropa nueva k tenia guarda le
 robaron El Dinero k tenia en la cartera
 le robaron la Jewerly k tenia, a
 Rocky le robaron el telefono y el xbox,
 la Camara y mas cosas una de esas
 personas es un Hermanito no la puedo
 reen pero es cierto porque mi →

②

hermana los vio cuando salieron de mi
 casa con los bolsos de ropa y the jewelry
 les pregunto ke que hacian no dijeron
 nada y siguieron caminando uno de ellos
 se llama "aventura" pedrito el tiene el
 celular mio y el de mi mama porque lo
 vieron con el. el otro tipo se llama
 "QU" el gordo k vende manteca el
 tambien se metio en mi casa y me
 roba y el otro tipo se llama "yoyó"
 el se pasa con tamara el se mete
 mucho "pimpin" el es pussy el tambien
 se metio en mi casa y me roba mi
 mama estaba llorando cuando la llame y
 le pregunte k que le pasaba y me dijo
 que vio a la esposa de "yoyó" con la
 ropa de mi mama y empeso a llorar
 lo no puedo hacer nada ya estoy preso
 pero tu puedes hablar con los hermanitos
 ya ke le pregunten a aventura por que →

③

je metio a mi cosa a robar cuando ya
 estaba preso por favor hasme ese favor
 please y a "yoyo" y a "Lou" whatever u
 want to do u do me that favor I do u
 any favor my nigga for my crown take
 care bro a true king carry himself
 with respect and knowledge Ight bro I
 at u go ~~and~~ tell the bro's I said
 what'up.

K. Papo

EXHIBIT D

CASE NAME: United States v. Lagares

EXHIBIT NUMBER: 3J2F10VB_FELIX LAGARES_03-19-10_2114

DATE: MARCH 19, 2010

TIME: 9:14 P.M.

PARTICIPANTS: FELIX LAGARES
UNKNOWN MALE A.K.A. CHI-CHI
EDNA LNU
RECORDING

Key: [I/I] = Unintelligible in Spanish
[U/I] = Unintelligible in English
[PH] = Phonetic Spelling
English in Italics

<u>ENGLISH TRANSLATION</u>	<u>ORIGINAL LANGUAGE</u>
	[E.T.: 00:00:00]
RECORDING:	<i>Global Tel-Link. This call may be recorded or monitored. I have a prepaid call from...</i>
FELIX LAGARES:	<i>Felix.</i>
RECORDING:	<i>... an inmate at Orange County jail. Your account balance is 12 dollars 89 cents. Press nine for rate information. If you wish to accept this pre-paid call, dial zero and hold. To refuse, dial... Thank you.</i>
UNIDENTIFIED MALE A.K.A. CHI-CHI:	<i>Yo.</i>
FELIX LAGARES:	<i>Hello.</i>
UNIDENTIFIED	<i>Yo, what's good, nigga.</i>

MALE A.K.A.
CHI-CHI:

FELIX
LAGARES:

What's good, bro'.

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Chillin', nigga.

FELIX
LAGARES:

How you been?

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Been alright. Know what I mean? Been [U/I] for a month now. I'm chillin'.

FELIX
LAGARES:

Hold that. This Chi Chi?

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Yeah, it's Chi Chi, nigga.

FELIX
LAGARES:

Oh, what's up, bro'? It's Bavs [PH], yo.

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Who is?

FELIX
LAGARES:

Bavage.

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Oh Bavs. What up, nigga?

FELIX
LAGARES:

What's goody, yo?

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Chilling.

FELIX
LAGARES:

What ya all doing?

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

*Ednita, uh, doing a cook out
right now and shit.*

FELIX
LAGARES:

Oh, word?

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

*Yeah. We good though. You
alright, nigga?*

FELIX
LAGARES:

Yeah. I'm in the box and shit.

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

*Yeah, I heard. What
happened to you?*

Yeah, I heard. ¿Qué te pasó?

FELIX
LAGARES:

With Tomate. Some....

Con Tomate. Some...

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Word?

FELIX
LAGARES:

*Some... He's supposed to be
some big ass [U/I] from New
York talking shit so I had to
pop on his ass.*

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Oh, yeah. That's what's up.

FELIX
LAGARES:

Was [U/I]...

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

[U/I] you alright?

FELIX

Yeah. It's stressing up in my

LAGARES:

box and shit. I'm trying to see what's good in the real... in the real world, uh, over there. What's good with ya niggas?

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Hey, what they... Hey, what they offer you?

FELIX
LAGARES:

Uh, still. Um, they still haven't given me my court date yet.

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Yo, you better try to get a six five, you heard?

FELIX
LAGARES:

That six five? You think they gonna give me that, though?

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

I, I don't know. It's... It's... I... I'm not even gonna lie to you, nigga, it's gonna be hard though, bro'.

FELIX
LAGARES:

'Cause Bullet he... They offered him three and a half. Uh, 'cause I was speaking to Bullet. And he said he going back to court he's trying to get a better offer but he said he don't even know and...

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

How old is you? How old is you?

FELIX
LAGARES:

Twenty-one.

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Ah, damn. You mi... You missed it, my man. You might... you might not be able to get Y.O.

FELIX

Nah? Damn. [U/I]...

LAGARES:

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

I told you already. Yeah, but, you gonna holla at Ed... at Ednita?

FELIX
LAGARES:

Yeah.

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Ednita!

FELIX
LAGARES:

[I/I] there, too?

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

No. I saw your boy that you live with. He was here in the block right now.

FELIX
LAGARES:

He... he in the block?

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Yeah.

FELIX
LAGARES:

Oh, tell him to put some minutes on the phone. I was trying to hit him up, too.

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Alright. I'm gonna.. I'm gonna tell him [U/I] last night.

FELIX
LAGARES:

No doubt, bro'.

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

Alright. Hit... Yo, A.D.R. Here go Ednita.

FELIX
LAGARES:

A.D.R., bro'.

UNIDENTIFIED
MALE A.K.A.
CHI-CHI:

A.D.R.

EDNA LNU:

Hello?

FELIX
LAGARES:

Hi, Ednita.

EDNA LNU:

Who's this?

FELIX
LAGARES:

Bavage.

EDNA LNU:

Hi, Bavage.

FELIX
LAGARES:

[Laughs] How you?

EDNA LNU:

What you doing?

FELIX
LAGARES:

I'm in the box. The hole.

EDNA LNU:

Oh, word?

FELIX
LAGARES:

Yeah.

EDNA LNU:

You chilling, though, right? You good?

FELIX
LAGARES:

Yeah, I'm good. I'm bored, man. I've bee here for like... nine days, almost.

EDNA LNU:

Word?

FELIX
LAGARES:

On lock now. How the baby?

EDNA LNU:

So, um, when you get out of it?

FELIX
LAGARES:

Probably like seven more days.

EDNA LNU: *Oh, fuck... But, you can get visits, though, right?*

FELIX
LAGARES: *Yeah.*

EDNA LNU: *See, uh... Flaco and Tito [PH] been visiting you?*

FELIX
LAGARES: *Oh, Flac. Only Flac.*

EDNA LNU: *Oh.*

FELIX
LAGARES: *How the baby? And June?*

[E.T. 00:03:00]

*****[NON-PERTIENT]*****

[E.T. 00:13:54]

FELIX
LAGARES: *That nigga... If I see... If that nigga come in here I'm poppin' on that nigga.*

EDNA LNU: *Oh, you already know.*

FELIX
LAGARES: *Word up.*

EDNA LNU: *Uh-huh.*

FELIX
LAGARES: *I'm like, fuck that nigga. Yo, and that nigga had came for me, too, And when me and D.J. [U/I] ¿verdad? [right?]*

EDNA LNU: *Uh-huh.*

FELIX
LAGARES: *Yeah. He had came all blacked up with some niggas... [U/I]...*

EDNA LNU:		[U/I].
FELIX LAGARES:		With, with [U/I]...
EDNA LNU:		Uh-huh...
FELIX LAGARES:		And Scooby told me... He told us, like, "Yo, that nigga came through. That nigga [U/I]." You know what I mean?
EDNA LNU:		Yeah.
FELIX LAGARES:	<i>I mean, I'll... From that day I... I knew it... I already had a feeling that that nigga is trouble. [U/I]...</i>	<i>I mean, I'll... From that day I... Yo lo sabía... I already had a feeling que that nigga is trouble. [U/I]...</i>
EDNA LNU:		Yeah.
FELIX LAGARES:		And look what he did.
EDNA LNU:		Yep.
FELIX LAGARES:		That was, I was...
EDNA LNU:	<i>And the shit... [U/I]... and then the shit with Tarzan. That shit happened here, right next to my house.</i>	<i>And the shit... [U/I]... And then the shit with Tarzan. That shit happened aquí al lado de mi casa.</i>
FELIX LAGARES:		The... with who?
EDNA LNU:		With Tarzan.
FELIX LAGARES:		Word?
EDNA LNU:	<i>Yeah. I saw that kid die. I've never... I never saw something like that in my</i>	<i>Yeah. Yo vi ese muchacho morir. I've never... Yo nunca he visto algo así en mi vida.</i>

	life. Yo, I swear to God.	<i>Yo, I swear to God.</i>
FELIX LAGARES:		<i>Damn.</i>
EDNA LNU:		<i>Yo, it's sad. It's sad, man, that all this shit is going on.</i>
FELIX LAGARES:		<i>[U/I].</i>
EDNA LNU:		<i>It's sad.</i>
FELIX LAGARES:		<i>Damn.</i>
EDNA LNU:		<i>I'm just pissed about fucking Rude Boy...</i>
FELIX LAGARES:		<i>Word. Word.</i>
EDNA LNU:		<i>Like...</i>
FELIX LAGARES:		<i>That shit got me ...</i>
EDNA LNU:		<i>That nigga was a cool ass nigga. From the times I've met him.</i>
FELIX LAGARES:	<i>I heard that when they grabbed him...</i>	<i>I heard that cuando lo cogieron...</i>
EDNA LNU:		<i>Mad respectful.</i>
FELIX LAGARES:	<i>I heard when they grabbed him and he was face flat.</i>	<i>I heard when lo cogieron and he was face flat.</i>
EDNA LNU:		<i>Yeah, and they [U/I]... Yeah, in a... in a parking lot. Yep.</i>
FELIX LAGARES:		<i>Damn, that... They did... They did... They... They should've...</i>

EDNA LNU: *They say they just threw him in a parking.. in a... in a... in a driveway. Like, a parking lot full of dirt.*

FELIX
LAGARES: *Yeah.*

EDNA LNU: *That he was just laying there trying to call... for help.*

FELIX
LAGARES: *Damn. They did my nigga dirty. That's fucked up, man.*

EDNA LNU: *Yep.*

FELIX
LAGARES: *Shit! Why the hell he was even in fucking Landers by himself, though? That's the part... Oh! His baby moms live over there.*

EDNA LNU: *Yeah... Oh, word?*

FELIX
LAGARES: *Yeah, I think my nigga's baby moms live over there.*

EDNA LNU: *I... And I also heard that, uh, Malcriado, and shit was out there. 'Cause you know Ma... you know Ma...*

FELIX
LAGARES: *Malcriado, yeah... What happened Ednita?*

EDNA LNU: *I heard that Malcriado live out there, too, though.*

FELIX
LAGARES: *On Landers [PH].*

EDNA LNU: *[U/I] Over there where... where that happened.* *[U/I]. Allí where... adonde pasó eso.*

FELIX
LAGARES: *Oh, word?*

EDNA LNU:

Yeah.

FELIX
LAGARES:

He didn't see anything?

Él no vio na'?

EDNA LNU:

That what?

FELIX
LAGARES:

He didn't see anything?

¿Él no vio na'?

EDNA LNU:

His brother's. Well, I don't know. I don't know because you know what gossip is like.

His brother's. Well, I don't know. I don't know porque tú sabes los bochinchos.

FELIX
LAGARES:

Yeah, yeah, yeah. Just make sure you and June safe, yo. And the baby. Know what I mean?

EDNA LNU:

I'm chillin'.

FELIX
LAGARES:

Word up.

EDNA LNU:

Honestly... June fucking up... Uh, I mean, that he's not fucking up, he just... he's never here. And I told him, I said, "Not for nothing, but when you're married." Us Puerto Ricans always say, "If you're married, you go home."

Honestly... June fucking up... Uh, I mean, that he's not fucking up, he just... he's never here. And I told him, I said, "Not for nothing, pero, el que se casa..." Us Puerto Ricans always say, "El que se casa, pa' su casa."

FELIX
LAGARES:

Yeah.

EDNA LNU:

You met me with a package. You got with me 'cause you like me. You know, you like my style. I'm [U/I]. But, I love him, Bavage, but, not like I used to. I'm being ho... I'm being real

with you.

FELIX
LAGARES:

Yes. [U/I] we...

EDNA LNU:

I swear to God. And I've been tellin' him this, too. I be like, "Yo, you're never here. Like, you can't leave your shorty all day."

I swear to God. And I've been tellin' him this, too. I be like, "Yo, tú nunca estás aquí. Like, you can't leave your shorty all day."

FELIX
LAGARES:

Yeah.

EDNA LNU:

You know what I'm saying? And then when the kids here comes... Uh, when the kids is here Friday they stay the whole weekend. You know what I'm saying? Next week, my two babies move in... on the 26th. So, I'm telling him, I said, "All I want from you is at least, on the weekends..."

FELIX
LAGARES:

Yeah. To be [U/I]...

EDNA LNU:

Spend time. 'Cause we gotta do it together. You know what I'm saying?

FELIX
LAGARES:

Word.

EDNA LNU:

'Cause they love him like... They see him as a step dad.

FELIX
LAGARES:

Definitely.

EDNA LNU:

They love him like daddy, but, he's never here.

They love him like daddy, pero, él nunca está aquí.

FELIX

Besides, you... you don't

LAGARES: *understand how that boy loves you, and he love them kids, like... When I... When I got locked up with him... Psh! That nigga was going through it. You don't understand, he was going through it.*

EDNA LNU: *Yeah, but, only when he gets locked up, though. Why? Why only when...? You know.*

FELIX
LAGARES: *Nah, but...*

EDNA LNU: *Why does it have to take for that, you know? Like...*

FELIX
LAGARES: *No, and also... June got a lot in... in his head, too, you know. You gotta understand too a little, he... June don't got it all like that. He... his head [U/I] with like... what happened with B Bugs, you know, all that. He has a [U/I]....*

No, and también... June got a lot in... in his head, too, you know. You gotta understand, too, un poquito he... June don't got it all like that. He... His head [U/I] with like... what happened with B Bugs, you know, all that. He has a [U/I]...

EDNA LNU: *I know. 'Cause... Yeah.*

FELIX
LAGARES: *[U/I]...*

EDNA LNU: *I know but Ba... Bavage it's not like... I know what he experienced and I know what he's seen 'cause I... I experienced it too with Eddie. But, Eddie made it. You know.*

FELIX
LAGARES: *Yeah.*

EDNA LNU: *Eddie made it with a .22 and*

his brain right now. And, you know, I thank God my brother is out here with us right now.

FELIX
LAGARES:

Word.

EDNA LNU:

But, I always tell him, "There's nothing that you're going to do out there that's going to bring your brother back." I'm sorry. But, somebody has to tell him. "There's nothing that you..."

But, I always tell him, "There's nothing that you're going to do out there que va a traer a tu hermano back." I'm sorry. But, somebody has to tell him. "There's nothing that you..."

FELIX
LAGARES:

[U/I].

EDNA LNU:

"... Anything you do is not going to bring him back."

FELIX
LAGARES:

You right. This could have been...

EDNA LNU:

Nothing.

FELIX
LAGARES:

It could have, uh... Uh, it could have been avoided, all this beef. He could have squashed this. You feel me? But, it's all in June hands. He's the man. You feel me?

EDNA LNU:

Yep.

FELIX
LAGARES:

And... You know, I ain't gonna tell him that. I ain't gonna tell him to stop. You know? I can't do that. You feel me? He got to...

EDNA LNU:

I can't tell him. Nobody can tell him. Only he can...

FELIX
LAGARES:

*Yeah, he can... Through his
own...*

EDNA LNU:

... tell himself.

FELIX
LAGARES:

... eyes. Like...

EDNA LNU:

Yeah. Exactly.

FELIX
LAGARES:

But until he don't realize it...

EDNA LNU:

You... Yeah.

FELIX
LAGARES:

Know what I mean?

EDNA LNU:

*He... He could only do that for
himself. Like, he gotta change.
He gotta make a change.*

[E.T.: 00:19:00]

*****[NON-PERTINENT]*****